

1 July 1976

MEMORANDUM FOR: The Director of Central Intelligence

SUBJECT : Wednesday's Meeting with Service Intelligence Chiefs
on Revision of NSCID 1 to Effect Merger of IAC and
USCIB

1. I suggest that in our discussion with the Service intelligence chiefs tomorrow it might be useful to develop ~~a~~ discussion somewhat along the following lines:

a. The original Killian Board recommendation for combining the policy, supervising and coordinating responsibilities of IAC and USCIB, envisaged a smaller Board at the top departmental level with its membership composed of individuals directly responsible to the heads of those departments represented on the NSC who are concerned with foreign intelligence activities.

b. The USCIB and IAC principals were of the opinion that no merger which did not include the present membership of the two Boards would be in the best interests of the intelligence community at this time and, in fact, the community was divided in its opinion as to the desirability for any merger. Therefore, we recommended against it and suggested that we be directed to re-study the problem at a future time.

c. When NSC 1373 directed the preparation of a new NSCID to carry out the recommendation of the President's Board, we proposed merging the membership of the two Boards and combining their respective policy, coordinating and supervisory responsibilities, taking into account existing statutory responsibilities and other factors pertinent to the problem. This is the objective of the draft tabled for your consideration.

d. The proposed DOD revisions to the draft tabled for consideration would create a duality of responsibility to the NSC in the field of foreign intelligence, wherein the Agency's responsibilities are established by statute. By law, the relationship of the CIA to the NSC in the field of foreign intelligence is equivalent to that of the JCS in the field of military affairs. Within their respective fields, each are, by statute, the principal advisers of the NSC and the President. Of the two, the CIA is more directly responsible to the NSC as it operates "under the direction of the NSC" whereas the JCS are subordinate to the Secretary of Defense.

e. Acceptance of the DOD proposals would create confusion with respect to the responsibilities and functions of the Director of Central Intelligence and the Central Intelligence Agency and raise many questions concerning the entire area of NSCIDs which have been developed by our work together over many years.

f. Furthermore, the DOD proposal would be contrary to the intent of Congress in enacting the statutes, and would be inconsistent with the basic objectives of the recommendations made by the President's Board of Consultants relative to foreign intelligence which already have Presidential approval.

g. Almost a year ago the President concurred in the need for strong centralized direction of the intelligence effort of the United States through the NSC and the DCI. In my opinion:

(1) Centralized direction of the intelligence effort in terms of "command" can be exercised only by or in the name of the NSC, in effect, the President. Currently and under our proposed NSCID 1, this centralized "command" direction reaches the departments and agencies concerned in the form of NSCIDs issued by the NSC, itself, or DCIDs issued by the DCI acting for the NSC -- you are well aware of the fact that I cannot issue a DCID without your concurrence or the resolution of any disagreement by the NSC.

(2) Centralized direction in terms of "guidance" derives from the fact that any recommendation concerning policies, procedures or practices that would form the basis for a "command decision" by the NSC is developed with the maximum degree of participation by the "chiefs" of the intelligence community and centralized through use of the USIB mechanism. Under the terms of our proposed NSCID 1, no DCI action leading to a "command decision" by the NSC or to an "implementing command" on behalf of the NSC, can be taken without the full participation of all USIB members.

h. Any body such as we propose is necessarily consultative in nature. While the responsibility for policy matters relative to the national security and for "command decisions" affecting the intelligence community must remain with the NSC, the Board that we propose would still exercise the same degree of practical authority in the field of foreign intelligence as the IAC and USCIB.

2. I will see General Hull tomorrow and will endeavor to obtain some clarification relative to some of the remarks which are causing confusion with the Service intelligence chiefs. In any case the Service intelligence chiefs should clearly understand that you cannot recommend to the NSC and the President a document that would create a duality of responsibility for which the Agency and the Director of Central Intelligence were created by law.

L. R. THUSCOTT, JR.